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Lisa Peebles, Federal Public Defender

RESPOND TO SYRACUSE OFFICE

February 15, 2019

Hon. Thomas J. McAvoy  
United States District Court  
Federal Building & U.S. Courthouse  
15 Henry Street  
Binghamton, New York 13901

**RE: UNITED STATES v. CATHERINE MELHUISH  
CASE NO.: 8:18-CR-0110 (TJM)**

Dear Judge McAvoy:

Catherine Melhuish will appear before you for sentencing on February 19, 2019. By this letter, the defense respectfully requests that the Court impose a below-Guideline sentence of 364 days of imprisonment.

A below-Guideline sentence is appropriate in this case under 18 U.S.C. § 3553(a). As the Court is aware from the two competency proceedings that preceded trial and from the evidence presented at trial, Ms. Melhuish suffers from PTSD and a traumatic brain injury. Although she is an extremely intelligent woman, her mental health issues dramatically affects her perception of events and her behavior. Further incarceration will not address the mental health issues that led to her conviction, and may well have the opposite effect by causing her to further decompensate.

As the Court is also aware, Ms. Melhuish is subject to an immigration hold and will undergo deportation proceedings after the resolution of her federal criminal case. If this Court imposes a sentence of one year or more, Ms. Melhuish could be subject to deportation for committing an aggravated felony. A sentence of 364 days of imprisonment, rather than time served, would allow the immigration court more options in its treatment of Ms. Melhuish.

Thank you for your consideration.

Respectfully yours,  
OFFICE OF THE FEDERAL PUBLIC DEFENDER

By:

*S/Courtenay K. McKeon Esq.*  
Assistant Federal Public Defender

cc: Michael Gadarian, AUSA (via ECF)  
Catherine Melhuish, Albany County Jail